

CONSIDERS APPROPRIATE IF THE ~~SECRETARY~~ BOARD DETERMINES, AFTER TAKING INTO CONSIDERATION THE PUBLISHER'S SUPPLY CONTRACTS WHICH EXISTED ~~PRIOR TO JANUARY 1~~ AS OF MARCH 15, 1990, THAT:

~~(1) (I) THERE IS AN INSUFFICIENT SUPPLY OF RECYCLED NEWSPRINT OF ACCEPTABLE QUALITY AVAILABLE TO THE NEWSPAPER PUBLISHER; OR~~

~~(II) COMPLIANCE WOULD PLACE AN EXTREME ECONOMIC HARDSHIP ON THE NEWSPAPER PUBLISHER; AND~~

~~(I) THE PUBLISHER COULD NOT OBTAIN FROM MANUFACTURERS SERVING THE MID-ATLANTIC REGION AN ADEQUATE SUPPLY OF RECYCLED NEWSPRINT COMPARABLE IN QUALITY TO VIRGIN NEWSPRINT; AND~~

~~(2) (II) THE PUBLISHER HAS MADE A GOOD FAITH EFFORT TO MEET THE RECYCLED CONTENT PERCENTAGE REQUIREMENTS.~~

~~(6) IF THE NEWSPAPER RECYCLING BOARD FAILS TO ACT ON AN APPLICATION FOR AN EXCUSE OF ALL OR PART OF THE RECYCLED CONTENT PERCENTAGE REQUIREMENTS MADE UNDER PARAGRAPH (5) OF THIS SUBSECTION WITHIN 45 DAYS OF THE FILING OF THE APPLICATION WITH THE BOARD, THE APPLICATION SHALL BE DEEMED APPROVED.~~

~~(7) THE NEWSPRINT RECYCLING BOARD SHALL:~~

~~(I) REVIEW THE REPORTS FILED UNDER SUBSECTION (E) OF THIS SECTION;~~

~~(II) ANALYZE THE AVAILABILITY AND UTILIZATION OF NEWSPRINT CONTAINING RECYCLED MATERIAL;~~

~~(III) COMMENT ON THE APPROPRIATENESS OF THE RECYCLED CONTENT PERCENTAGE REQUIREMENTS, INCLUDING WHETHER THE REQUIREMENTS ENCOURAGE MANUFACTURERS OF VIRGIN NEWSPRINT TO CONVERT TO RECYCLING;~~

~~(IV) COMMENT ON THE NEED FOR CONTINUATION OF THE PROVISIONS OF THIS SECTION AND THE IMPACT THE PROVISIONS OF THIS SECTION HAVE ON USERS OF OLD NEWSPAPERS FOR PURPOSES OTHER THAN PRODUCING NEWSPRINT;~~

~~(V) WORK WITH MUNICIPALITIES AND OTHER COLLECTORS OF OLD NEWSPAPERS TO DEVELOP A RELIABLE SYSTEM TO PROVIDE A STABLE AND QUALITY SUPPLY OF OLD NEWSPAPERS FOR RECYCLING;~~

~~(VI) WORK TO ENCOURAGE THE LOCATION OF PRODUCTION FACILITIES IN THE REGION TO ENSURE AN INCREASE IN THE SUPPLY OF RECYCLED NEWSPRINT; AND~~